Treasury FOIA/PA - DJ referrals, SS.

Dear Ms. Zannetti, 12/30/79

I'm sorry not to have been able to respond to your 12/3/79 sooner. This does confirm that I agreed to a short extension of time when you phoned about Department of Justice referrals. Thereafter I heard from your Mr. McBrien, who wanted a little more time. This confirms that I told him to take whatever time is necessary for proper processing.

Because you received this referral on 11/2/79 and in almost two months have not completed the processing, perhaps there are problems with which I can help. I did make this offer, in all seriousness, to Mr. McBrien. With such matters as what is within the public domain, what has been disclosed by other agencies and things like that, I can help or can refer you to others whose memory may be better than mine.

After we spoke I wrote the Secret Service about its non-compliance with my PA and FOIA requests going back to 1971, perhaps earlier. I know I filed an all-inclusive JFK request in 1971. I enclose Mr. Bacherman's 12/13/79 reply, which I regard as stonewalling and non-responsive. Obviously there is no connection between his reference to the 1974 amendments (for which I have some responsibility) and my requests of three years earlier. If in fact the Secret Service did turn over all copies of all its records to the National Archives in 1979, I also regard that as immaterial to my 1971 requests. I am aware of earlier reports of such transfers that were not true.

In plain English Mr. Bacherman's references to compliance are not true. I am aging, I'm not well, and if I'm going to have to spend time proving these kinds of things to those whose own files hold the records I'll do it for a court instead.

It is not possible for me to enclose a copy of the 1971 inclusive request because a student is going over my Secret Service files and putting them in order. But I assure you that recently I did see the 1971 request and that the Secret Service files will not disclose <u>any</u> compliance.

What happened at about that time, probably a bit earlier, is that I was invited in for a conference, with Counsel Goff, Assistant Director Kelly and p.r. man Jack Warner. They did not want me to sue and I did not want to either. We made an agreement that they would give me certain records that they could not withhold under the Act in any event and I would not sue. They then were leaned on by others who did not want the embarrassing information disclosed and they did not keep their agreement. However, I did not sue, for reason I'll explain if you desire. Later I did file the inclusive request. It includes everything. Even when Secret Service was forced to disclose about 6,000 pages to another they did not provide me with copies. When I was about to sue the Archives for some of what Secret Service withheld it provided copies of those records.

Pretty much of the foregoing is included in records disclosed by other agencies, particularly to one to whom I gave a privacy waiver.

Compliance with my PA request was entirely incomplete. One of the areas of non-compliance may explain the other non-compliances: the FBI gulled the Secret Service with false reports of which I now have excised copies. By accident, in another matter, the FBI did not excise what identifies this notorious character, an extremist of the far right and in other ways thoroughly undependable. He told the FBI that the Secret Service was conspiring with me to besmirch the FBI and the FBI passed this on the the Secret Service. It is false, a fabrication without any basis. But nobody did any checking. The FBI, for its own reasons, didn't want to. Its records disclose its determination to "stop" me and my writing and that was an effective means.

I doubt very much that I'll want to use any records I may obtain from the Secret Service in my planned writing, what will be possible for me at my age and state of health. But I am leaving a public archive, I want it to be as complete as possible, and I do want an opportunity to use the PA to cleanse some of the official garbage that can be used and has been used to undermine my work and its credibility.

When I can I'll be writing Mr. Bacherman again. If anything can be done to keep this from becoming as unpleasant as it can get I think it would be a good idea and in the end will cost the government less and cause much less embarrassment. If some of what I have gets aired in court and gets any attention there will be some embarrassment.

Sincerely,

Harold Weisberg